

CINMS CONSERVATION WORKING GROUP
1/19/11 AGENDA
Environmental Defense Center Conference Room,
906 Garden Street, Santa Barbara

Present: Linda Krop, Chair (EDC), Greg Helms, Vice Chair (TOC), Debra Herring

I. MARINE PROTECTED AREAS

We began with a debrief of the State's Marine Life Protection Act (MLPA) process and decision.

II. SHIPPING

A. PARS

Michael Murray (CINMS staff) provided us with the following (slightly edited) written report:

Sanctuary staff spoke today with Mike VanHouten from the USCG about the current Port Access Route Study. They held public comment hearings a while back and kept the public comment period open for an extended time (it is closing this week, he said). They did receive additional comments, and everything is on line at regulations.gov (search for docket # USCG-2009-0765 in the keyword box).

Mr. VanHouten informed Sanctuary staff that the USCG is currently analyzing available data to include in a draft report. They do not have any preferred option identified, and have yet to lay out and draft the range of options they will consider. By June they are targeting having a completed, internally-cleared study that will be shared in the federal register as a Notice of Study Results. They public can review the study, but the Notice will not start a comment period.

Mr. VanHouten will attend a scientific workshop this week in Newport Beach: Southern California Marine Mammal Workshop (<http://www.socalmarinemammals.org/>), which will include a panel session on "Vessel Strike Reduction in the Southern California Bight." He hopes to take in additional information for consideration in the study.

Also at the workshop, the Bren group focusing on this issue will have the opportunity to present their models for various traffic separation scheme management scenarios to the USCG.

Sanctuary staff stand ready to help provide AIS data to the USCG to assist with their report, but the Coast Guard has not yet determined if they need that data from us (they may be able to get it through their own channels).

B. OTHER CINMS, NMFS UPDATES

Mike Murray (CINMS staff) provided us with the following (slightly edited) written report:

- Coast Guard is tentatively planning a 3-day oil spill drill in mid-September 2011. They are interested in working with the Sanctuary and Park.
- Bren ship strike project update from the student team:
 - The Bren group has been working on two models:
 - A risk model to assess the change in risk of ship strikes to whales resulting from various management scenarios, and
 - An economic model to calculate the resulting cost to the shipping industry of slowing down or being re-routed.
 - Sanctuary staff are currently finalizing models and generating preliminary results.
 - The final outcome will compare the change in risk of strike and the total cost to the shipping industry for each management scenario.
 - SAC members (and Sanctuary staff) are invited to attend the final public presentation on Friday, April 15.
- CINMS: Sanctuary staff continue to monitor whale sightings from the whale watch vessels via the Channel Islands Naturalist Corps. There have been no recent reports of endangered large whales in the region. However, the region is in full gray whale season with daily sightings of grays and occasional sightings of orcas. Staff are also teamed up with the Navy and conducting whale observation flights on a monthly basis, as weather allows, surveying areas south of the northern Channel Islands.
- NMFS: We expect to learn more about the status of NMFS' ship strike modeling work by way of Steve Katz, who is attending this week's Southern California Marine Mammal Workshop.

C. CWG DISCUSSION

- A. PARS: we discussed the importance of ensuring that the study addresses protection of the marine environment as well as vessel safety, as required by the Ports and Waterways Safety Act.
- B. Recreational / Whale Watching Boats: we noted that there have been recent reports of recreational and whale watching boats approaching whales, in close proximity to whales, and transiting in the midst of feeding activities. We discussed NOAA's guidelines for such activities, as well as the guidelines that apply in the Hawaiian sanctuary. We would like the SAC to review the existing guidelines, discuss their adequacy and the need

to educate recreational boaters and concessionaires about the guidelines.
See NOAA statement from September 2010 (pasted below).

III. OCEAN ACIDIFICATION

- A. West Coast Task Force: we are waiting for the completed plan.

IV. OFFSHORE ENERGY

- A. CWG Report: EDC continues to work on the report, and has hired a new Bren intern.

V. OTHER SAC, CINMS ISSUES

Mike Murray (CINMS staff) provided us with the following (slightly edited) written report:

- A. 2011 Work Plan: Mike Murray sent us “Staff Ideas for Council Activities in 2011”. We discussed our interest in not only having the USCG lead a planned exercise for responding to an oil spill, but also the need for a surprise drill (especially in light of the Deepwater Horizon experience, in which case many requirements in the emergency plans were not implemented).
- B. Sanctuary overflight regulations: extended public comment period (until Feb. 7).
- C. Acting Regional Director Carol Bernthal (ONMS West Coast Region) will attend Friday’s SAC meeting. Bill Douros has accepted a one-year detail to ONMS headquarters to serve as ONMS Deputy Director.
- D. Update on CINMS documentary film: “*Beneath the Rainbow Bridge: A Journey Through the Channel Islands National Marine Sanctuary*” will be screened at the upcoming Santa Barbara International Film Festival, on February 4 at 2:00 pm (Metro 4, Theatre IV) and on February 5 at 1:00 pm (Santa Barbara Museum of Art).
- E. Sanctuary Advisory Council member recruitment – the Sanctuary is still accepting applications (materials on channelislands.noaa.gov) until January 24 for these positions:
 - a. Commercial Fishing member and alternate
 - b. Non-consumptive recreation member and alternate
 - c. Conservation member and alternate
 - d. Research member and alternate
 - e. Public at large members (2)
 - f. Business member

ADJOURN

NOAA Whale Watching Guidelines

Sept. 15, 2010
FOR IMMEDIATE RELEASE
Contact: Jim Milbury/562-980-4006
Monica DeAngelis/562-980-3232

Viewing Guidelines for Blue Whales and Other Marine Mammals

Whale watching can be a positive and enriching experience when it is conducted responsibly and in a manner that results in the safety of animals and boaters alike. NOAA Fisheries Service is reminding boaters of guidelines and regulations for observing marine mammals like the numerous blue whales currently off the coast of Los Angeles or any of the other marine mammals that often live in and transit our local ocean waters.

All marine mammals are protected under the Marine Mammal Protection Act (MMPA) of 1972. In addition, some species, like the blue whale, are also protected under the Endangered Species Act. Both federal laws prohibit the "take" of any marine mammal except by permit or exception. Any actions by vessels operating in the vicinity of marine mammals that have the potential to significantly disrupt their behavior may be a violation of the law(s) unless such persons have specified legal authority or a permit under the MMPA. Violators may be subject to significant monetary fines and penalties.

Mariners should use prudent judgment while operating their vessels and always follow the navigational Rules of the Road. The following guidelines are intended to inform the public on how to avoid inadvertently disturbing these amazing animals in their natural environment. These guidelines are not a replacement for federal legal requirements.

- Be alert and avoid disturbing whales and changing their normal behavior.
- Attempt to stay at least 100 yards away from any whale.
- Do not:
 - o Move into the path of a whale
 - o Move faster than the whale
 - o Make rapid speed or erratic directional changes
 - o Go between two whales
 - o Chase any whales
 - o Attempt to feed any whales

For further information please contact Monica DeAngelis at 562-980-3232 or contact NOAA's Office of Law Enforcement Hotline at 800- 853 -1964.